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UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA

RAQUEL RODRIGUEZ, an individual, Plaintiff, vs. EDEN VILLA LP, A California Limited Partnership, EDEN VILLA LLC, A California Limited Liability Company, and DOES 1-25, inclusive, Defendants.) Case No.: C-08-3982-JL)) STIPULATION AND (PROPOSED)) ORDER GRANTING LEAVE TO FILE) FIRST AMENDED COMPLAINT))) Complaint Filed: August 20, 2008
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Plaintiff Raquel Rodriguez, by and through her counsel of record, Patrick R. Kitchin, Esq., of The Law Office Of Patrick R. Kitchin, and defendant Michael Sim, erroneously sued as Eden Villa LP, and Eden Villa LLC, by and thorough his counsel of record, Stephen L. Porter, Esq., of Whitehead & Porter LLP, hereby stipulate that with the Court's permission, Plaintiff may file the First Amended Complaint submitted herewith.

This order is necessary for the following reasons:

- 1) Michael Sim is the true, correct and sole owner of Eden Villa-San Francisco, Plaintiff's former employer, and he was so during all times relevant to the claims made by plaintiff Raquel Rodriguez in this action.
- 2) The erroneously named defendants, Eden Villa LP and Eden Villa LLC, do not now hold any ownership interest in Eden Villa-San Francisco, and have not held any

1 ownership interest in Eden Villa-San Francisco during the time period alleged as
2 relevant by plaintiff.

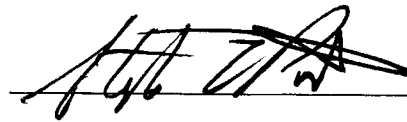
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4 IT IS SO STIPULATED

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6 Date: 10/2/08



7 Patrick R. Kitchin, Esq.
8 Counsel to Plaintiff

9 Date: 10/2/08



11 Stephen Porter, Esq.
12 Counsel to Defendants

13 PURSUANT TO STIPULATION, IT IS SO ORDERED,

14 Date: Nov 10, 2008


Chief Magistrate Judge James Larson